

## **REMARKS**

Claims 1-71 were pending and presented for examination and in this application. In an Office action dated September 28, 2007, claims 1-71 were rejected. Applicants thank Examiner for examination of the claims pending in this application and addresses Examiner's comments below.

In view of the Remarks that follow, Applicants respectfully request that Examiner reconsider all outstanding rejections, and withdraw them.

### **Response to Rejection Under 35 USC 112**

In the 3<sup>rd</sup> paragraph of the Office Action, Examiner rejects claims 1-71 under 35 USC 112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

Claim 1, as amended, recites:

- A printer for printing time-based media, the printer comprising:
  - an interface for receiving time-based media from an external source;
  - a media processing system coupled to the interface to receive the time-based media, the media processing system determining a printed representation of the time-based media and an electronic representation of the time-based media, wherein the printed representation includes a representation of the time-based media at a plurality of times thereof and a plurality of *machine-readable codes associate time locations within the electronic representation with the plurality of times represented in the printed representation*;
  - a printed output system in communication with the media processing system to receive the printed representation, the printed output system producing a corresponding printed output from the printed representation of the time-based media;
  - and
  - a electronic output system in communication with the media processing system to receive the electronic representation, the electronic output system producing a corresponding electronic

output from the electronic representation of the time-based media.

Independent claims 30 and 51, also recite the limitation of “a plurality of machine-readable codes that associate time locations within the electronic representation with the plurality of times represented in the printed representation.” The claims define a printing system that processes time-based media to produce both printed and electronic representations of the time-based media. The printed representation of the media includes multiple representations of the media at various time locations. In addition, the printed representation further includes machine-readable codes (such as bar codes) that are associated with these multiple printed representations at various time locations that correspond to time locations within the electronic representation.

As described in paragraph 57 of the specification, “[i]n one embodiment, the printer 100 converts a digital audio file, such as a MIDI file, into a paper representation as a musical score. Optionally, the printer 100 also converts the input data to another audio format, such as MP3, that could be played on other devices, such as a cell phone. Bar codes can be added to a printed paper representation of the media to let the user play the audio corresponding to lines of music on a remote device or through the speaker on the printer.” In other words the *plurality* of bar codes that are added to the printed representation correspond to the *lines* of music and therefore, the various bar codes associate various time locations within the electronic representation with the various times represented in the representation. The specification explains that the bar codes are not merely associated with the musical score and therefore simply allowing the entire score to be played, but rather associate time locations within the electronic representation with the plurality of times represented on the printed representation.

Therefore, it is submitted that claims 1, 30 and 51, and the claims that depend therefrom comply with the written description requirement and overcome Examiner's rejection under 35 USC 112.

**Response to Rejections Under 35 USC 103(a)**

In the Office Action, Examiner rejects claims 1, 2, 6-8, 19, 20, 22, 26-31, 35-37, 48, 49, 51, 52, 56-58, 67-71 under 35 USC § 103(a) as allegedly being unpatentable over Narushima and U.S. Patent No. 6,774,951 in view of U.S. Publication 2003/0084462, Kubota ("Kubota") and Marggraff et al U.S. Patent No. 6,750,978; claims 3, 4, 11, 32, 33, 40, 53, 54 and 61 under 35 USC § 103(a) as allegedly being unpatentable over Narushima, Kubota, Marggraff in view of Takahasi; claims 5, 12, 34, 41, 55 and 62 under 35 USC § 103(a) as allegedly being unpatentable over Narushima, Kubota, Marggraff in view of Assis; claims 9, 38, and 59 under 35 USC § 103(a) as allegedly being unpatentable over Narushima, Kubota, Marggraff in view of Conway; claims 10, 39, and 60 under 35 USC § 103(a) as allegedly being unpatentable over Narushima, Kubota, Marggraff in view of Hon; claims 13, 14, 42, 43, 63, 64, 65, and 66 under 35 USC § 103(a) as allegedly being unpatentable over Narushima, Kubota, Marggraff in view of Reed; claims 15, 16, 44, and 45 under 35 USC § 103(a) as allegedly being unpatentable over Narushima, Kubota, Marggraff in view of Fijita; claims 17, 18, 46, and 47 under 35 USC § 103(a) as allegedly being unpatentable over Narushima, Kubota, Marggraff in view of Howald; claims 21 and 50 under 35 USC § 103(a) as allegedly being unpatentable over Narushima, Kubota, Marggraff in view of well-known prior art; claims 23 and 24 under 35 USC § 103(a) as allegedly being unpatentable over Narushima, Kubota, Marggraff in view of Perkins; and claim 25 under 35 USC § 103(a) as allegedly being unpatentable over Narushima, Kubota, Marggraff in view of Markow. These rejections are respectfully traversed.

As previously explained, in an example implementation, the printer creates a printed copy of a musical score and an electronic song file for the time-based media, which in this case is a MIDI file. Importantly, the printer associates the printed score to the electronic song file by including multiple bar codes on the printed score. *These bar codes associate the different parts of the musical score* (e.g., “printed representations of the media at different time locations”) *to locations* within the MP3 song file that correspond to those parts of the printed score (e.g., “the electronic representation of the media at the corresponding time locations”). These printed and electronic representations of the MIDI file could then be used by a system that allows a user to select a particular portion of the score using a bar code reader, and then play that particular portion of the song file corresponding to the selected portion of the score. Each printed representation of a musical score would have multiple bar code representing the multiple time locations within the musical score.

The Examiner alleges that Marggraff teaches printing plurality of machine-readable codes that link time locations within the electronic representation of music. The applicants strongly disagree. Marggraff is absent any such teaching. The portions of Marggraff cited by the examiner are absent any such teaching suggesting or disclosing the claimed features of the present invention. Marggraff merely discloses printing machine readable codes, such as barcodes containing embedded information of a uniform resource locator (URL) that can be scanned to obtain information from the Internet. *See Marggraff*, col 1, lines 62-67 to col. 2, lines 1-3. There is no relationship whatsoever between the bar codes of Marggraff and time. Marggraff further discloses playing music in response to a selection of a portion of a page. *See Marggraff* col. 7, lines 60-63. In Marggraff, a user may select a highlighted portion of page to generate a response. *See Marggraff* col. 7, lines 60-63. The selected portion in no way

corresponds to any time location within a larger piece of an electronic representation of music. Therefore, Marggraff does not teach printing plurality of machine-readable codes that associate time locations within the electronic representation of music as claimed in the present application.

Furthermore, Marggraff teaches away from the idea of producing multiple bar codes on a print medium. Marggraff explains that printing many specialized machine readable codes on a print medium has several disadvantages. In particular, Marggraff explains that having many bar codes makes the printing more difficult and expensive. *See* Marggraff, col. 2, lines 4-9.

Marggraff further explains that special printing processes to print many barcodes in a print medium are not needed. *See* Marggraff, col. 6, lines 59-62. Therefore, Marggraff teaches away from the idea of producing multiple barcodes on a printed medium that associate time locations within the electronic representation with time locations represented in the printed representation.

The claimed associating of the printed and electronic representations of the time-based media, using machine-readable codes printed on the printed representation, where the process for producing the printed and electronic representations is performed at least in part on a printing system, is not disclosed or suggested in any of the cited references. Accordingly, the claims are patentable over these references.

Based on the above Remarks, Applicants respectfully submit that for at least these reasons, independent claims 1, 30 and 51 are patentably distinguishable over the cited references, both alone and in combination. Therefore, Applicants respectfully request that Examiner reconsider the rejection, and withdraw it.

Additionally, all arguments advanced above with respect to independent claims 1, 30 and 51 are also hereby incorporated so as to apply to their dependent claims as well.

In summary, Examiner has failed to point out any prior art teaching which anticipates or renders obvious the explicit recitation of “a plurality of machine-readable codes that associate time locations within the electronic representation with the plurality of times represented in the printed representation” in the language of claims 1-71. Therefore, it is respectfully submitted that the rejection is improper and should be withdrawn.

### **Conclusion**

In sum, Applicants respectfully submit that claims 1-71 as presented herein, are patentably distinguishable over the cited references (including references cited, but not applied). Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicants respectfully invite Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully submitted,

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Dated: December 28, 2007

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